

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ROBROY INDUSTRIES, INC.,)
Plaintiff,)
vs) Civil Action No. 05-1732
JOSEPH SCHWALBACH and CL)
SYSTEMS, CORPORATION,)
Defendants.)

O R D E R

AND NOW, this 14th day of March, 2006, after the plaintiff filed an action in the above-captioned case, and after the defendants moved to dismiss the complaint for lack of personal jurisdiction, or alternatively, to dismiss this action for improper venue or transfer it to the United States District Court for the Western District of Texas, and after a Report and Recommendation was issued by the United States Magistrate Judge, and the parties were granted ten days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by the defendants, and after independent review of the pleadings, and the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that the defendants' motion to dismiss the complaint for lack of personal jurisdiction (Docket No. 6) is denied, that their alternate motion to dismiss this action for improper venue (Docket No. 6) is denied, and that their alternate motion to transfer this case to the United States District Court for the Western District of Texas pursuant to 28 U.S.C.

§ 1406(a) (Docket No. 6) is granted forthwith.

Annette F. Ankrum
United States District Judge

cc: All Counsel of Record

Honorable Robert C. Mitchell
United States Magistrate Judge